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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,884	03/15/2001	Naohiro Furukawa	ASAM.0007	3520
38327	7590	10/20/2006	EXAMINER	
REED SMITH LLP 3110 FAIRVIEW PARK DRIVE, SUITE 1400 FALLS CHURCH, VA 22042			NGUYEN BA, PAUL H	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 10/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/805,884

Applicant(s)

FURUKAWA ET AL.

Examiner

Paul Nguyen-Ba

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Notice to Applicant

1. This action is responsive to Applicant's Amendments and Remarks filed on July 31, 2006.
2. Claims 1-17 are currently pending. Claims 1, 6, 10, and 13 are independent claims.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4, 6-8, and 10-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luther et al. ("Luther"), U.S. Patent No. 5,721,940, in view of Johnson et al. ("Johnson"), U.S. Patent No. 5,991,469.

Regarding independent claim 1:

➤ *a management system of form identification dictionary including a manager of form identification dictionary for creating and managing a form identification dictionary for identifying a type of a printed form; and*

Luther teaches a form identification and processing system that uses hierarchical form profiles to manage, save, and create a form dictionary (see Abstract and col. 2 lines 14-29). A printed form type is identified by comparing said printed form to a stored hierarchical profile in the form dictionary (see Abstract and col. 2 lines 25-29).

➤ *a plurality of form processing terminals, each of said form processing terminals having a form identification dictionary for identifying the type of the form, and identifying the form to process the form, wherein*
➤ *said management system of form identification dictionary and said plurality of form processing terminals are interconnected via a network;*

Luther teaches a management workstation that is each equipped with a form dictionary for identifying the type for each form (see col. 4 lines 23-30). The workstation is interconnected via a local area network (see col. 4 lines 1-3, col. 6 lines 42-47, col. 7 lines 20-28).

Luther suggests (i.e., routing of forms to different department workstations for further processing), but does not explicitly teach, a plurality of form processing terminals interconnected via a network. However, Johnson teaches a plurality of workstations in

Art Unit: 2176

communication with one another via a network for the express purpose of a more efficient means of communicating and interpreting forms (see Fig. 4, col. 9 lines 10-17).

Since both references are from the same field of endeavor, the motivational purpose of a more efficient means of communicating and interpreting forms as disclosed by Johnson would have been recognized in the pertinent art of Luther. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Luther with the teachings of Johnson to include a plurality of form processing terminals interconnected via a network.

➤ *said form processing terminal, upon occurrence of failure in identification of the form based on said form identification dictionary of said form processing terminal itself, transmits **image information** of the form to said management system of form identification dictionary; and*

Luther teaches that when the image data of a completed form fails to be identified by the comparator of a workstation using its form identification dictionary, the image data of the completed form is routed to an appropriate processing station (see Fig. 7 and col. 6 lines 35-47).

➤ *said management system of form identification dictionary, when the form type of said image information of the form transmitted from said form processing terminal has not yet been registered in said form identification dictionary of said manager of form identification dictionary, creates information for identifying a form type of the not-yet-registered form, stores the created information in said form identification dictionary of said manager of form identification dictionary, and transmits the created information to said form processing terminal.*

Art Unit: 2176

Luther teaches creating a hierarchical profile of a form (*compare with* “create information”) for identifying the form type of a blank form that has not yet been stored in a dictionary (*compare with* “not-yet-registered printed form”) (see Abstract and col. 6 lines 34-47 *et seq.*). By creating a hierarchical profile of the blank form, the Luther method updates its form dictionary with the new form profile, thereby “registering” the form. The created hierarchical profile is then compared to other profiles contained within the form dictionary (see col. 6 lines 36-47). If the created profile already exists or has been registered, the image data of the completed form is routed to an appropriate processing station (see Fig. 7 and col. 6 lines 35-47). If the created form does not already exist in the form dictionary or has not been registered, the created form’s profile is stored in form memory (see col. 6 lines 36-47 and col. 9 lines 23-25).

Independent claims 6, 10, and 13 incorporate substantially similar subject matter as independent claim 1, and are rejected along the same rationale.

Regarding claims 2, 7, and 14, Luther, in view of Johnson, teach:

➤ *management system of form identification dictionary, when said image information of the form transmitted from said form processing terminal has been registered in said form identification dictionary of said manager of form identification dictionary, reads out information for identifying the type of the form from said form identification dictionary in said manager of form identification dictionary, and transmits the read-out information to said form processing terminal.*

Luther teaches that image data of a completed form is processed to create a hierarchical profile for creating and storing in the form identification dictionary. The

Art Unit: 2176

created hierarchical profile is then compared to other profiles contained within the form dictionary (see Luther - col. 6 lines 36-47). If the created profile already exists or has been registered, the image data of the completed form is routed to an appropriate processing station (see Luther - Fig. 7 and col. 6 lines 35-47).

Regarding claims 3, 11, and 15, Luther, in view of Johnson, teach *wherein said form processing terminal, upon occurrence of failure in the identification of the form based on said form identification dictionary of said form processing terminal itself, transmits to said management system of form identification dictionary the image information of the form together with information for supporting a work of creating the form identification dictionary* (see Fig. 7 and col. 6 lines 35-47: Luther teaches that when the image data of a completed form fails to be identified by the comparator of a workstation using its form identification dictionary, the image data - including vectorized data, length measurement, width measurement, and attribute measurements - of the completed form is routed to an appropriate processing station).

Regarding claims 4, 8, 12, and 16, Luther, in view of Johnson, teach wherein said management system of form identification dictionary, when said form identification dictionary of said manager of form identification dictionary is updated, informs said plurality of form processing terminals of form identification dictionary update information; and said management system of form identification dictionary, upon reception of a request for use from at least one of said form processing terminals, distributes the form

Art Unit: 2176

identification information as requested to said at least one of said from processing terminals (see Luther - col. 7 lines 20-37 and col. 9 lines 23-30).

6. Claims 5, 9, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luther et al. ("Luther"), U.S. Patent No. 5,721,940, in view of Johnson et al. ("Johnson"), U.S. Patent No. 5,991,469, in further view of Stinson et al. ("Stinson"), U.S. Patent No. 6,695,204.

Regarding claims 5, 9, and 17, Luther, in view of Johnson, teach the form processing system with respect to claim 4 as discussed above, but does not specifically teach said management system comprises a manager of system fee; and said manager of system fee performs charging to said form processing terminals.

However, Stinson teaches a processor for determining a fee to charge customer for the purpose of seeking monetary retribution for services rendered (see col. 13, lines 11-15). Since Stinson and Luther are both from the same field of endeavor, the purposes disclosed by Stinson would have been recognized in the pertinent art of Luther.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Luther with the teachings of Stinson to include management system comprises a manager of system fee; and said

manager of system fee performs charging to said form processing terminals for the motivational purpose of seeking monetary retribution and aid for services rendered.

Response to Arguments

7. Applicant's arguments filed on July 31, 2006 have been fully considered but they are not persuasive.

Applicant contends that the cited prior art, Luther et al., does not teach or suggest “*creat[ing] information for identifying the form type of the not-yet-registered form*” and “*storing such created information in said form identification dictionary*”. The Office respectfully disagrees.

Luther teaches creating a hierarchical profile of a form (*compare with* “create information”) for identifying the form type of a blank form that has not yet been stored in a dictionary (*compare with* “not-yet-registered printed form”) (see Abstract and col. 6 lines 34-47 *et seq.*). By creating a hierarchical profile of the blank form, the Luther method updates its form dictionary with the new form profile, thereby “registering” the form.

Therefore, Luther et al. clearly teaches “*creat[ing] information for identifying the form type of the not-yet-registered form*” and “*storing such created information in said form identification dictionary*”.

Applicant further contends that Luther does not create information for identifying a form type, but merely routs the completed form for further processing, such as optical character recognition executed by the CPU.

The Office first notes that OCR is one embodiment by the Luther method of “creating” information for identifying a form type for the not-yet-registered printed form. As discussed above, this embodiment creates a hierarchical profile of the form to store in a form dictionary, which satisfies the claim language as currently presented.

Finally, Applicant seems to insinuate that manual intervention of any type is not acceptable in the instant invention. It is first noted that the limitation language as presently presented does not preclude manual intervention. Moreover, even if the language were to be amended to prohibit all forms of manual intervention, it would have been well-known and obvious to one of ordinary skill in the art at the time of the invention to “automate” the process through the use of a simple program or macro for the motivational purpose of improving operator productivity and accuracy by simplifying procedures, reducing operator input, and minimizing operator errors.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Nguyen-Ba whose telephone number is (571) 272-4094. The examiner can normally be reached on 11 am - 7 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2176

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PNB
10/12/06


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